

**PROPOSED CRITERIA FOR ACCEPTANCE, DENIAL, COMPLETION OF, OR
TERMINATION FROM THE LAWYER ASSISTANCE PROGRAM ("LAP")**

(Adopted on an Interim Basis by the Board of Governors May 4, 2002)
(Effective Immediately)

Pursuant to Business & Professions Code section 6232(a): "The committee . . . may recommend rehabilitative criteria for adoption by the board for acceptance, denial, completion of, or termination from, the program."

I. Criteria for Acceptance

An applicant shall meet the following criteria for acceptance into the Program:

1. The applicant shall be an active or inactive member, or former member of the State Bar of California;
2. The applicant shall be found to have a substance-related disorder or a mental health disorder;
3. The applicant shall voluntarily agree to participate in the Program;
4. The applicant shall agree in writing to comply with all of the elements of the participation agreement; and
5. The applicant shall cooperate with the Program by providing access to medical information, disclosure authorizations and releases of liability as may be necessary for participation in the Program.

II. Criteria for Denial

An applicant may be denied participation in the Program in cases where any of the following conditions exist:

1. The applicant does not meet the criteria for acceptance into the Program;
2. The applicant will not substantially benefit from participation in the Program; and

3. The applicant's participation in the Program is inconsistent with the Program's mission of public protection.

III. Criteria for Completion

Participants will be deemed to have completed the Program when all of the following conditions have been met:

1. The participant has maintained three years of continuous sobriety or, in cases of mental health, stability;
2. The participant has made lifestyle changes sufficient to maintain ongoing recovery or stability;
3. The participant has satisfied the terms of the participation agreement; and
4. The participant has participated in the Program for a period of five years, or as otherwise deemed appropriate by the Evaluation Committee.

IV. Criteria for Termination

Participants may be terminated from Program participation when any of the following conditions exist:

1. The participant has failed to comply with the participation agreement, including but not limited to:
 - (a) Failure to comply with the prescribed monitoring or treatment recommendations, or
 - (b) Use of alcohol or other unauthorized drug;
2. Any cause for denial of participation; and
3. Failure to meet the criteria for acceptance to the Program.